

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

Charles E. Rogers, )  
                        )  
Plaintiff,         )  
                        )  
vs.                 )      **CONSENT ORDER OF DISMISSAL  
WITH PREJUDICE**  
South Carolina Department )  
of Corrections, Jon Ozmint, in )  
his official capacity, and Carl J. )  
Frederick, in his official and )  
individual capacities,         )  
                        )  
Defendants.         )  
                        )

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It appears to the satisfaction of this Court that the Plaintiff and the Defendants have agreed to a settlement of this case and desire to dismiss this action with prejudice.

**NOW, THEREFORE**, on motion of Stephanie H. Burton, counsel for Defendants, and with the consent of Stephen F. Fisher, counsel for the Plaintiff, the complaint of Plaintiff is hereby dismissed with prejudice and is henceforth res judicata.

July 28, 2009  
Spartanburg, South Carolina

s/Henry F. Floyd  
Henry F. Floyd  
United States District Judge

WE SO MOVE:

s/ Stephanie H. Burton  
Stephanie H. Burton (#5009)  
Gibbes Burton, LLC  
308 East Saint John Street  
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**ATTORNEY FOR DEFENDANTS**

s/ Stephen F. Fisher

Stephen F. Fisher (#5288)  
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**ATTORNEY FOR PLAINTIFF**